

**FINDINGS OF CONFORMANCE  
MULTIPLE SPECIES CONSERVATION PROGRAM  
For Bloom  
Log No. 05-14-017**

**July 27, 2006**

**I. Introduction**

The proposed project is a minor grading permit of a 20-acre property for a single-family residence, driveway and septic and associated fire clearing. Access to the site is from Golda Odessa Lane.

The project site is located on Golda Odessa Lane, in the Lakeside Community an unincorporated portion of San Diego County (APN 390-040-54). The site is located within the Metro-Lakeside-Jamul segment of the County's Multiple Species Conservation Program (MSCP) and is designated as a Pre-approved Mitigation Area. The entire site is considered a Biological Resource Core Area (BRCA).

The 20-acre site entirely consists of coastal sage scrub of which 0.51 acres have been graded without a permit. For analysis purposes, the entire site is considered coastal sage scrub. The entire site as well as a large expanse of land surrounding the site is recovering from the 2003 Cedar Fire.

No sensitive plant species were observed and only one sensitive animal species was observed: Coopers hawk seen overhead.

Project development impacts that will require mitigation in accordance with the BMO include impacts to 8.26 acres of coastal sage scrub (7.84 acres on-site and 0.42 acres off-site). Mitigation will take place onsite through the preservation of 12.38 acres of coastal sage scrub habitat within a biological open space easement.

Table 1. Impacts to Habitat and Required Mitigation

<b>Habitat Type</b>	<b>Tier Level</b>	<b>Existing On-site (ac.)</b>	<b>Proposed Impacts on-site (ac.)</b>	<b>Proposed Impacts off-site (ac.)</b>	<b>Mitigation Ratio*</b>	<b>Required Mitigation (ac)</b>	<b>On-site Mitigation/Open Space (ac)</b>
Coastal Sage Scrub	II	20.0	7.7	0.42	1.5:1	12.3	12.3
<b>Total:</b>	--	20.0	7.7	0.42	1.5:1	12.3	12.3

The findings contained within this document are based on County records, staff field site visits and the Biological Technical Report dated May 2006 prepared by Robin Church. The information contained within these Findings is correct to the best of staff's knowledge at the time the findings were completed. Any subsequent environmental review completed due to changes in the proposed project or changes in circumstance shall need to have new findings completed based on the environmental conditions at that time.

The project has been found to conform to the County's Multiple Species Conservation Program (MSCP) Subarea Plan, the Biological Mitigation Ordinance (BMO) and the Implementation Agreement between the County of San Diego, the CA Department of Fish and Game and the US Fish and Wildlife Service. Third Party Beneficiary Status and the associated take authorization for incidental impacts to sensitive species (pursuant to the County's Section 10 Permit under the Endangered Species Act) shall be conveyed only after the project has been approved by the County, these MSCP Findings are adopted by the hearing body and all MSCP-related conditions placed on the project have been satisfied.

## **II. Biological Resource Core Area Determination**

The impact area and the mitigation site shall be evaluated to determine if either or both sites qualify as a Biological Resource Core Area (BRCA) pursuant to the BMO, Section 86.506(a)(1).

### **A. Report the factual determination as to whether the proposed Impact Area qualifies as a BRCA. The Impact Area shall refer only to that area within which project-related disturbance is proposed, including any on and/or off-site impacts.**

The impact area qualifies as a BRCA since the land is shown as Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.

### **B. Report the factual determination as to whether the Mitigation Site qualifies as a BRCA.**

As a Biological Resource Core Area, the open space resulting from this project is considered part of the regional MSCP preserve system. As such, all of the requirements relating to the "Preserve" outlined in the County's Subarea Plan, the Implementation Agreement and the Final MSCP Plan apply to this open space.

## **III. Biological Mitigation Ordinance Findings**

### **A. Project Design Criteria (Section 86.505(a))**

The following findings in support of Project Design Criteria, including Attachments G and H (if applicable), must be completed for all projects that propose impacts to Critical Populations of Sensitive Plant Species (Attachment C), Significant Populations of Narrow Endemic Animal Species (Attachment D), Narrow Endemic Plant Species (Attachment E) or Sensitive Plants (San Diego County Rare Plant List) or proposes impacts within a Biological Resource Core Area.

**1. Project development shall be sited in areas to minimize impact to habitat.**

The proposed project is a single family residence, which will require grading for the driveway, house pad and leach field. The driveway shall be improved along an existing dirt access road approximately 516 feet in length. Grading for the single family residence is proposed adjacent to the existing access road. The reserve leach field shall be located approximately 500 feet east of the proposed residence. Because the proposed development is primarily confined to existing impacted areas, habitat impacts have been minimized.

**2. Clustering to the maximum extent permitted by County regulations shall be considered where necessary as a means of achieving avoidance.**

This permit is for a single family residence. Clustering is not applicable.

**3. Notwithstanding the requirements of the slope encroachment regulations contained within the Resource Protection Ordinance, effective October 10, 1991, projects shall be allowed to utilize design that may encroach into steep slopes to avoid impacts to habitat.**

The proposed project is not subject to the Resource Protection Ordinance. Therefore, RPO encroachment provisions are not applicable and encroachment would not benefit the project for habitat impact avoidance.

**4. The County shall consider reduction in road standards to the maximum extent consistent with public safety considerations.**

No road improvements are required as a result of this project. Therefore, a reduction in road standards was not considered.

**5. Projects shall be required to comply with applicable design criteria in the County MSCP Subarea Plan, attached hereto as Attachment G (Preserve Design Criteria) and Attachment H (Design Criteria for Linkages and Corridors).**

Since the project site is located within a BRCA, the findings contained within Attachments G and H of the BMO are outlined below.

**B. Preserve Design Criteria (Attachment G)**

In order to ensure the overall goals for the conservation of critical core and linkage areas are met, the findings contained within Attachment G shall be required for all projects located within Pre-Approved Mitigation Areas or areas designated as Preserved as identified on the Subarea Plan Map.

- 1. Acknowledge the “no net loss” of wetlands standard that individual projects must meet to satisfy State and Federal wetland goals, policies, and standards, and implement applicable County ordinances with regard to wetland mitigation.**

No wetlands were observed onsite and thus no impacts to wetlands will occur as a result of this project. The project meets the no net loss of wetlands standard.

- 2. Include measures to maximize the habitat structural diversity of conserved habitat areas, including conservation of unique habitats and habitat features.**

The habitat on-site is all coastal sage scrub. The habitat conserved is adjacent to large undeveloped blocks of land to the north and east and includes habitat features such as rock outcroppings, a ridge, valley (drainage) and a west and south facing slope.

- 3. Provide for the conservation of spatially representative examples of extensive patches of Coastal sage scrub and other habitat types that were ranked as having high and very high biological value by the MSCP habitat evaluation model.**

The entire 20-acre project site is mapped as high value habitat and consists entirely of coastal sage scrub. The proposed project will impact 8.12 acres of coastal sage scrub associated with development and fire clearing. This impact area has been designed around existing disturbed areas and close to the existing access road. Conservation efforts include the preservation of 12.3 acres of coastal sage scrub on-site. This open space would be protected by a limited building zone of 100 feet along with signs stating sensitive environmental resources are present. Fencing is required adjacent to the proposed single-family residence thus separating the open space from proposed development. Therefore, the project will conserve an area of high value coastal sage scrub adjacent to undeveloped lands to the north and east.

- 4. Create significant blocks of habitat to reduce edge effects and maximize the ratio of surface area to the perimeter of conserved habitats. Subsequently, using criteria set out in Chapter 6, Section 6.2.3 of the MSCP Plan, potential impacts from new development on biological resources within the preserve that should be considered in the design of any project include access, non-native predators, non-native species, illumination, drain water (point source), urban runoff (non-point source) and noise.**

The proposed open space easement is 12.3 acres and is located adjacent to undeveloped lands to the north and east, whereas development is located in the far southwest corner of the site. Adjacent to the open space will be a 100-foot-wide limited building zone easement that prevents structures from being built up to the edge of the proposed open space. Additionally, the open space will be fenced and signed as a condition of approval. Therefore, edge effects have been reduced. The project will conform to county noise and light standards as well as the Watershed Protection, Stormwater Management and Discharge Control Ordinance.

**5. Provide incentives for development in the least sensitive habitat areas.**

The entire site was burned in the 2003 wildfires and is in a state of recovery to coastal sage scrub. No sensitive plant species were observed. The habitat closest to the existing access road and off-site development to the west is considered the least sensitive and this is where development is proposed. In addition, there is existing residential development approximately 550 feet to the west and downslope to the south. Therefore, the project will develop within the least sensitive area without the need for additional incentives.

**6. Minimize impacts to narrow endemic species and avoid impacts to core populations of narrow endemic species.**

No narrow endemic species were observed on-site. The rufous crowned sparrow was rated with a high potential to occur on-site. Breeding season restrictions for this species and the California gnatcatcher will be a condition of approval. Note the California gnatcatcher was rated with a low potential to occur onsite only due to the recent Cedar Fire. The habitat has not regrown extensively enough on-site to support breeding pairs nor has the population had time to expand and recolonize the area.

**7. Preserve the biological integrity of linkages between BRCAs.**

The biological integrity of linkages between BRCAs is not jeopardized through impacts to 8.12 acres mostly in the southwestern corner of a 20-acre site. The proposed development area is near existing residential development to the west and south. On a landscape level, agricultural and residential development occurs on both sides of the San Diego River south of the project site. This development poses a difficulty to, but not an obstruction to, species dispersal north or south across the river. In this area, the PAMA linkage connects lands along an east-west tract on both sides of the river and to the north-northeast on the northern side of the river. The proposed open space

will contribute to the preservation of the PAMA linkage without disrupting wildlife movement.

**8. Achieve the conservation goals for covered species and habitats (refer to Table 3-5 of the MSCP Plan).**

Rufous crowned sparrow has a high potential to occur on-site. Breeding season avoidance measures will be a condition of approval. Additionally, impacts to habitat were mitigated at the ratios required by the BMO, which will presumably ensure the long-term viability of any covered species as is discussed in Table 3-5.

**C. Design Criteria for Linkages and Corridors (Attachment H)**

For project sites located within a regional linkage and/or that support one or more potential local corridors, the following findings shall be required to protect the biological value of these resources:

**1. Habitat linkages as defined by the BMO, rather than just corridors, will be maintained.**

The PAMA linkage follows both sides of the San Diego River from the Lakeside Archipelago to the west towards the El Capitan Reservoir to the east and the proposed PAMA preserve in the draft North County MSCP (NCMSCP) to the northeast. Existing residential and agricultural development parallels the river on both sides dividing the PAMA linkage. The proposed project site is located on a south-facing slope overlooking the river. The linkage crosses east to west on the property. Project impacts will be mitigated through the preservation of onsite open space which includes likely onsite wildlife movement corridors such as a valley and ridge. The proposed development and onsite open space does not preclude the habitat linkage from east to west as discussed above and allows for wildlife movement in a north-south direction.

**2. Existing movement corridors within linkages will be identified and maintained.**

The site is at the terminal end of a north to south running ridgeline. This ridgeline splits into two small ridges above the San Diego River and creates a south facing slope. This slope curves to the east and merges with the east facing slope of the primary ridgeline. The proposed development will occur on the south facing slope. The primary ridgeline may function as a local and regional movement corridor and the slope leading up to this feature onsite will be preserved within an open space easement. This primary ridgeline is located off of the project site and existing development along the San Diego

River may inhibit the north to south species movement across the site. Following the PAMA linkages east-west and northeast directional trends, wildlife movement would be expected to traverse the ridgelines rather than follow the ridgeline direction. The proposed open space would contribute towards the preservation of an east-west movement route as well as allowing for wildlife movement in a north-south direction.

**3. Corridors with good vegetative and/or topographic cover will be protected.**

The site may contain corridors as defined by the MSCP including a valley and slope leading up to a north-south trending ridge line. It should be noted the site completely burned in the 2003 wildfires eliminating vegetative cover. However, the proposed open space will add to the assembly of the preserve system and the previous coastal sage scrub habitat is expected to regenerate and provide cover.

**4. Regional linkages that accommodate travel for a wide range of wildlife species, especially those linkages that support resident populations of wildlife, will be selected.**

The site is located within the southern limits of an east-west and northeast trending PAMA linkage adjacent to the San Diego River. This linkage connects with the Lakeside Archipelago to the west, El Capitan Reservoir to the east and proposed PAMA preserve in the proposed North County MSCP to the northeast. South of the site, the PAMA linkage follows the San Diego River as well from the Lakeside Archipelago to the west towards El Capitan Reservoir to the east. Development along the San Diego River remains as a hindrance to the north to south movement of species between these two PAMA linkages. The proposed site is located at the terminal end of a north-south ridgeline. The on-site south and west facing slope and the valley (drainage) represent the best location for a movement route and will be protected within a biological open space easement thus contributing to the overall linkage and accommodating travel for a wide range of wildlife species.

**5. The width of a linkage will be based on the biological information for the target species, the quality of the habitat within and adjacent to the corridor, topography, and adjacent land uses. Where there is limited topographic relief, the corridor must be well vegetated and adequately buffered from adjacent development.**

The project site is located along the southern limits of a PAMA linkage on the north side of the San Diego River. The linkage extends for approximately two miles north of the site before merging with the proposed NCMSCP and

continues to the east to El Capitan Reservoir and west to Lakeside. The linkage from Lakeside runs in a northeast direction. Including the portion south of the river, the linkage is approximately two miles across through the site. However, adjacent to the site and separating it from the linkage portion south of the river is existing residential and agricultural development. Therefore, proposed open space on-site attempts to preserve habitat that will contribute to the assembly of the linkage on the north side of the river. This open space includes 12.3 acres of coastal sage scrub adjacent to undeveloped lands to the north and east and includes land with topographic relief and is buffered from proposed adjacent development by a limited building zone easement, fencing and signage.

- 6. If a corridor is relatively long, it must be wide enough for animals to hide in during the day. Generally, wide linkages are better than narrow ones. If narrow corridors are unavoidable, they should be relatively short. If the minimum width of a corridor is 400 feet, it should be no longer than 500 feet. A width of greater than 1,000 feet is recommended for large mammals and birds. Corridors for bobcats, deer, and other large animals should reach rim-to-rim along drainages, especially if the topography is steep.**

The local corridor begins immediately off-site to the north and consists of a north-south trending ridgeline. Proposed on-site open space would contribute to the assembly of the preserve through the dedication of a 12.3-acre easement that includes rock outcroppings, a small ridge, valley (drainage) and the west and south-facing slope of the main off-site north-south trending ridgeline.

- 7. Visual continuity (i.e., long lines-of-site) will be provided within movement corridors. This makes it more likely that animals will keep moving through it. Developments along the rim of a canyon used as a corridor should be set back from the canyon rim and screened to minimize their visual impact.**

The project development location is at a lower elevation than the local corridor which splits into two small ridges above the property and the main off-site north-south trending ridgeline. Species dispersing north-south through the linkage and attempting to cross property and over the San Diego River may be directed towards the eastern portion of the site that will be preserved within open space because there is existing residential and agricultural development to the west and due south. The proposed residence location would not pose as a break in the visual continuity of the local north south corridor. Additionally, development will not preclude wildlife movement



in an east west direction, although movement in this direction is more likely to occur off-site to the north.

**8. Corridors with low levels of human disturbance, especially at night, will be selected. This includes maintaining low noise levels and limiting artificial lighting.**

No development currently exists on the higher elevations overlooking the project site and the nearby movement corridors. Development is constrained by the lack of fire services and access locations. In addition, much of the land is owned by the federal government and development would not occur. Therefore, there is an existing low level of human activity in this area of the PAMA linkage and any potential future development would have to undergo environmental review. The proposed development is adjacent to existing development located off-site to the west and is adequately buffered from on-site wildlife corridors thus maintaining low noise levels and artificial lighting. The project will conform with existing County Codes and Ordinances regulating noise and lighting levels.

**9. Barriers, such as roads, will be minimized. Roads that cross corridors should have ten foot high fencing that channels wildlife to underpasses located away from interchanges. The length-to-width ratio for wildlife underpasses is less than 2, although this restriction can be relaxed for underpasses with a height of greater than 30 feet.**

The proposed project development is located near existing development, which reduces overall project impacts. No roads will be improved or constructed during project development. Therefore, additional measures such as wildlife crossings or fences are not applicable.

**10. Where possible at wildlife crossings, road bridges for vehicular traffic rather than tunnels for wildlife use will be employed. Box culverts will only be used when they can achieve the wildlife crossing/movement goals for a specific location. Crossings will be designed as follows: sound insulation materials will be provided; the substrate will be left in a natural condition, and vegetated with native vegetation if possible; a line-of-site to the other end will be provided; and if necessary, low-level illumination will be installed in the tunnel.**

There are no wildlife crossings proposed with the project.

**11. If continuous corridors do not exist, archipelago (or stepping-stone) corridors may be used for short distances. For example, the gnatcatcher may use disjunct patches of sage scrub for dispersal if the distance involved is less than 1-2 miles.**

The project site is located within a continuous PAMA linkage. The only disruption may be the continuity between the southern and northern sides of the PAMA on either side of the San Diego River. The proposed project will not break the PAMA linkage, which averages 2 miles wide near the site. In addition, proposed open space will contribute to the assembly of the preserve.

#### **IV. Subarea Plan Findings**

Conformance with the objectives of the County Subarea Plan is demonstrated by the following findings:

**1. The project will not conflict with the no-net-loss-of-wetlands standard in satisfying State and Federal wetland goals and policies.**

No wetlands were observed on-site and thus no impacts to wetlands will occur as a result of this project. The project thus meets the no net loss wetlands standard.

**2. The project includes measures to maximize the habitat structural diversity of conserved habitat areas including conservation of unique habitats and habitat features.**

The habitat on-site is all coastal sage scrub. The habitat conserved is adjacent to large undeveloped blocks of land to the north and east and includes habitat features such as rock outcroppings, a ridge, valley (drainage) and a west and south facing slope.

**3. The project provides for conservation of spatially representative examples of extensive patches of Coastal sage scrub and other habitat types that were ranked as having high and very high biological values by the MSCP habitat evaluation model.**

The entire 20-acre project site is mapped as high value habitat and consists entirely of coastal sage scrub. The proposed project will impact 8.12 acres of coastal sage scrub associated with development and fire clearing. This impact area has been designed around existing disturbed areas and close to the existing access road. Conservation efforts include the preservation of 12.3 acres of coastal sage scrub on-site. This open space would be protected by a limited building zone of 100 feet along with signs stating sensitive environmental resources are present. Fencing is required adjacent to the proposed single-

family residence thus separating the open space from proposed development. Therefore, the project will conserve an area of high value coastal sage scrub adjacent to undeveloped lands to the north and east.

**4. The project provides for the creation of significant blocks of habitat to reduce edge effects and maximize the ratio of surface area to the perimeter of conserved habitats.**

The proposed open space easement is 12.3 acres and is located adjacent to undeveloped lands to the north and east, whereas development is located in the far southwest corner of the site. Adjacent to the open space will be a 100-foot-wide limited building zone easement that prevents structures from being built up to the edge of the proposed open space. Additionally, the open space will be fenced and signed as a condition of approval. Therefore, edge effects have been reduced.

**5. The project provides for the development of the least sensitive habitat areas.**

The entire site was burned in the 2003 wildfires and is in a state of recovery to coastal sage scrub. No sensitive plant species were observed. The habitat closest to the existing access road and off-site development to the west is considered the least sensitive and this is where development is proposed. In addition, there is existing residential development approximately 550 feet to the west and downslope to the south. Therefore, the project will develop within the least sensitive area without the need for additional incentives.

**6. The project provides for the conservation of key regional populations of covered species, and representations of sensitive habitats and their geographic sub-associations in biologically functioning units.**

No key regional populations of covered species were observed on-site. The rufous crowned sparrow was rated with a high potential to occur on-site. Breeding season restrictions for this species and the California gnatcatcher will be a condition of approval. Note, the California gnatcatcher was rated with a low potential to occur on-site only due to the recent Cedar Fire. The habitat has not regrown extensively enough onsite to support breeding pairs nor has the population had time to expand and recolonize the area. The project has provided for the preservation of 12.3 acres of coastal sage scrub, habitat that has the potential to support the rufous crowned sparrow and California gnatcatcher. The preserve land is contiguous with large tracts of undeveloped land, thus preserving representations of the sensitive habitat coastal sage scrub in a biologically functioning unit.

- 7. Conserves large interconnecting blocks of habitat that contribute to the preservation of wide-ranging species such as Mule deer, Golden eagle, and predators as appropriate. Special emphasis will be placed on conserving adequate foraging habitat near Golden eagle nest sites.**

The biological integrity of linkages between BRCAs is not jeopardized through impacts to 8.12 acres mostly in the southwestern corner of a 20-acre site. The proposed development area is near existing residential development to the west and south. On a landscape level, agricultural and residential development occurs on both sides of the San Diego River south of the project site. This development poses a difficulty to, but not an obstruction to, species dispersal north or south across the river. In this area, the PAMA linkage connects lands along an east-west tract on both sides of the river and to the north-northeast on the northern side of the river. The proposed open space is adjacent to undeveloped land to the north and east and will contribute to the preservation of the PAMA linkage without disrupting wildlife movement.

- 8. All projects within the San Diego County Subarea Plan shall conserve identified critical populations and narrow endemics to the levels specified in the Subarea Plan. These levels are generally no impact to the critical populations and no more than 20 percent loss of narrow endemics and specified rare and endangered plants.**

No narrow endemic species or critical populations were observed or are likely to occur on-site.

- 9. No project shall be approved which will jeopardize the possible or probable assembly of a preserve system within the Subarea Plan.**

The PAMA linkage follows both sides of the San Diego River from the Lakeside Archipelago to the west towards the El Capitan Reservoir to the east and the proposed PAMA preserve in the draft North County MSCP (NCMSCP) to the northeast. The proposed 12.3 acres of open space will contribute to the preservation of the existing and proposed PAMA linkage and will not jeopardize, but will contribute to the probable assembly of a preserve system, that is, the proposed NCMSCP.

- 10. All projects that propose to count on-site preservation toward their mitigation responsibility must include provisions to reduce edge effects.**

The proposed open space easement is 12.3 acres and is located adjacent to undeveloped lands to the north and east, whereas development is located in the far southwest corner of the site. Adjacent to the open space will be a 100-foot-wide limited building zone easement that prevents structures from being built up

to the edge of the proposed open space. Additionally, the open space will be fenced and signed as a condition of approval. Therefore, edge effects have been reduced.

**11. Every effort has been made to avoid impacts to BRCAs, to sensitive resources, and to specific sensitive species as defined in the BMO.**

The entire 20-acre project site is mapped as high value habitat and consists entirely of coastal sage scrub. The proposed project will impact 8.12 acres of coastal sage scrub associated with development and fire clearing. This impact area has been designed around existing disturbed areas and close to the existing access road and existing development off-site to the west. Conservation efforts include the preservation of 12.3 acres of coastal sage scrub on-site. This open space would be protected by a limited building zone of 100 feet along with signs stating sensitive environmental resources are present. Fencing is required adjacent to the proposed single-family residence thus separating the open space from proposed development. The project site is located on a south-facing slope overlooking the San Diego River at the terminal end of a north-south ridgeline. The linkage crosses east to west on the property. Project impacts will be mitigated through the preservation of on-site open space which includes likely on-site wildlife movement corridors such as a valley and ridge. The proposed development and on-site open space does not preclude the habitat linkage from east to west and also allows for wildlife movement in a north-south direction. The on-site south and west-facing slope and the valley (drainage) represent the best location for a movement route and will be protected within a biological open space easement thus contributing to the overall linkage and accommodating travel for a wide range of wildlife species.

Megan Hamilton, Department of Planning and Land Use  
July 20, 2006

# MSCP Designation For Bloom SFR

